

Response Under 37 CFR 1.116  
Expedited Procedure  
Examining Group 3724

Claim1 (Canceled)

Claim 2 (Previously Amended) The knife assembly according to claim 13, wherein said plate extends parallel to and is spaced apart from a surface of said knife.

Claim 3 (Previously Amended)) The knife assembly according to claim 13, wherein said plate comprises a transparent material.

Claim 4 (Previously Amended): The knife assembly according to claim 13, further comprising a base member, wherein said plate is arranged pivotably on said base member.

Claim 5 (Previously Amended): The knife assembly according to claim 4, further comprising a switch, wherein said plate is coupled to said switch.

Claim 6 (Previously Amended) The knife assembly according to claim 13, wherein said plate has a functional position covering said cutting edge, in which said plate is spaced apart from said cutting edge.

Claim 7 (Previously Amended) A microtome comprising a knife assembly according to claim 13.

Claim 8 (Withdrawn): The microtome according to claim 7, further comprising a switch, a brake or arresting device, and a knife slide or specimen slide, wherein said switch is coupled to said brake or arresting device for said knife slide or specimen slide.

Claim 9 (Withdrawn): The microtome according to claim 8, further comprising a circuit that includes a motorized cutting drive, wherein said switch is arranged in said circuit that includes said motorized cutting drive.

Claim 10 (Withdrawn): The microtome according to claim 8, further comprising a control panel with switching elements thereon, wherein said switch is connected in series with said switching elements on said control panel.

Heid US Patent Application 09/770,958 Attorney Docket (Z) 98017 P US  
Amendment after Final Action in response to final Office Action mailed 06/03/2005  
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Claim 11 (Previously Amended) The knife assembly according to claim 13, further comprising a base member,

wherein said plate is arranged displaceably on said base member.

Claim 12 (Previously Amended) The knife assembly according to claim 11, further comprising a switch,

wherein said plate is coupled to said switch.

Claim 13 (Currently Amended) A knife assembly for a microtome having a cutting plane, in which, in a cutting stroke for section production, a specimen with a specimen holder moves relative to a knife edge, comprising:

a knife having a cutting edge and a back face,

a knife carrier, and

said specimen holder, viewed from the standpoint of the operator, being disposed behind said cutting plane, while the knife and knife carrier are disposed in front of said cutting plane such that a cut section will remain lying on the freely accessible back face of the knife for section removal, and

a blade guard comprising a plate, said blade guard having an operating position,

wherein said plate is arranged in such a way that performance of cutting operations and section removal takes place even with the plate situated in its operating position by an arrangement of the plate in its operating position parallel to the cutting plane, on the side of the knife carrier, and spaced from the cutting plane by a gap, the width of which is selected at a value between the maximum section thickness which can be set on the microtome and 2 mm, ~~which is on the side of the operator remote from the specimen holder and the specimen received on the specimen holder,~~ and at the same time the plate faces the cutting edge of the knife with a

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small gap in the cutting direction between the cutting edge of the knife and the edge of the plate toward the knife with a maximum width chosen such that the joint of a person's finger cannot come into contact with the cutting edge of the knife – in order to prevent unintentional gripping of the knife edge – but sufficient for a section taken from the specimen to be able to slide through said small gap between the plate and the back face of the knife, the width of said small gap being not more than 2.5 mm.

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## POINTS OF DIFFERENCE BETWEEN THE APPLICATION AND KING

Application	King
<p><b>Problem:</b></p> <ul style="list-style-type: none"> <li>During the cutting operation, the tissue sections slide from the cutting plane 14 onto the freely accessible back face of the knife, whence they have to be removed by hand. This, as also the cutting operation itself, involves the risk of injury. This is what has to be avoided.</li> </ul>	<p><b>Problem:</b></p> <ul style="list-style-type: none"> <li>Food products 32, for example cheese, sausage, ham, etc. are cut horizontally to enable the slices to drop onto a conveyor 50 (prior art) or, according to the invention of King, onto a stacking bed 52 and then onto a conveyor 50 where they lie flat (Fig. 12, 13, 14, 15). Since the cutting blade 48 is disposed below the slide member 20, the cutting zone is hidden within the machine, where it is inaccessible. The slices are moved away from the machine by the conveyor 50 and there is no risk of injury at any time.</li> </ul>
<p><b>Disposition of plate 11 in the Application</b></p> <ul style="list-style-type: none"> <li>Plate 11 is situated in the zone of direct access to the location where the section is to be lifted off and bars the possibility of contacting the cutting edge 3a</li> </ul>	<p><b>Disposition of plate 40 in King</b></p> <ul style="list-style-type: none"> <li>Plate 40 is situated, like the knife 48, in the interior of the machine. The cutting edge can therefore never be touched, irrespective of whether plate 40 is present or not.</li> </ul>
<ul style="list-style-type: none"> <li>Plate 11 is a finger protection device.</li> </ul>	<ul style="list-style-type: none"> <li>Plate 40 is <i>not</i> a finger protection device since it is impossible for fingers to reach the cutting zone in any case.</li> </ul>

**Conclusion:**  
The problem underlying the Application just does not exist for King.